## PATENT COOPERATION TREATY

## **PCT**

## TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2003P08156WO				FOR FURTHER ACTION		See Form PCT/IPEA	/416		
International application No.				International filing date (day/month/year)		Priority date (day/month/year)			
PCT/EP2004/052781				03.11.200	4	07.11.200	3		
			cation (IPC) or nation	 onal classification and	PC				
Applicant SIEMENS AKTIENGESELLSCHAFT									
1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.								
2.	This RI	EPORT co	nsists of a total of	4	sheets, including	g this cover sheet.			
3.	This rep	port is also	accompanied by Al	NNEXES, comprising:					
	a. 🔀	(sent t	o the applicant and	to the International Bu	reau) a total of 6		sheets, as follows:		
	sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).								
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.								
	ь	1		Bureau only) a total of (	indicate type and numbe	er of electronic carrier(s)	)))		
						. containing a seque	nce listing and/or tables		
			nereto, in computer 302 of the Administ	•	s indicated in the Supple				
4.	This rep	port contai	ns indications relation	ng to the following item	ıs:				
	$\boxtimes$	Box No. I	Basis of the	report					
		Box No. I	I Priority						
	Ц	Box No. I	II Non-establis	shment of opinion with	regard to novelty, invent	ive step and industrial a	applicability		
	Ш	Box No. I	V Lack of unit	y of invention	invention				
	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicabilicitations and explanations supporting such statement						dustrial applicability;		
	Box No. VI Certain documents cited			uments cited					
	Box No. VII Certain defects in the international application								
	Box No. VIII Certain observations on the international application								
Date of s	submissi	on of the d	emand		Date of completion of th	is report			
<u></u>	4	1.	ed IDE : CD		A d + 1 cc				
Name and mailing address of the IPEA/EP					Authorized officer				
Faccimile No.					Talanhana Na				

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/052781

Box	No. I	Ва	asis of the report					
1.		n regard to t cated under	the language, this report is based on the international this item.	al application in the language in	which it was filed, unless otherwise			
			rt is based on translations from the original language he language of a translation furnished for the purpo		,			
		inte	rnational search (Rule 12.3 and 23.1(b))					
		pub	lication of the international application (Rule 12.4)					
	*****		rnational preliminary examination (Rule 55.2 and/or					
2.	recei	iving Office	the <b>elements</b> of the international application, this re e in response to an invitation under Article 14 are					
	this	report):						
		the international	ational application as originally filed/furnished					
		pages	1, 2, 6–12		as originally filed/furnished			
		pages*	3-5, 5a		<del></del>			
		pages*		_				
	$\boxtimes$	the claims		_				
					as originally filed/furnished			
		nos.*	3, 9					
			.–7					
		nos.*		<u>-</u>	<u> </u>			
	$\square$	the drawin						
		sheets			as originally filed/furnished			
		sheets*						
		sheets*						
			e listing and/or any related table(s) – see Supplement					
2	$\Box$	•		ital Dox Relating to sequence En	sung.			
3.	ш		dments have resulted in the cancellation of:					
			the description, pages					
			the claims, nos.					
			the drawings, sheets/figs the sequence listing (specify):					
4.			rt has been established as if (some of) the amendm					
	ш	they have	been considered to go beyond the disclosure as file	d, as indicated in the Supplement	tal Box (Rule 70.2(c)).			
		<u> </u>						
			claims, nos.					
			sequence listing (specify):					
sk	IE :4 -			maded."				
*	If ite	m 4 applies	s, some or all of those sheets may be marked "super	rseded."				

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Box			rticle 35(2) with regard to novelty, inventive step or industrial applicability; oporting such statement	
1.	Statement			
	Novelty (N)	Claims	4-7	YES
		Claims	1-3	NO
	Inventive step (IS)		4-7	YES
		Claims		NO
	Industrial applicability (IA)	Claims	1-7	YES
		Claims		NO

- 2. Citations and explanations (Rule 70.7)
  - 1. Reference is made to the following document:

D1: US-B1-6 428 206 (WATANABE NAOTO) 6 August 2002 (2002-08-06)

2. The present application does not meet the requirements of PCT Article 33(1) because the subject matter of independent claim 1 lacks novelty (PCT Article 33(2)).

Document D1 (the references between parentheses refer to that document) discloses (see figure 2) a patient resting device which comprises a positioning device (4, 5, 6) and a patient resting table (8), the positioning device being underneath the patient. Furthermore, said known positioning device has a curved arm (4, 5), in which only the X-ray source and not the X-ray detector can be mounted so as to be displaceable in the direction of the curve (see also figures 6B and 6C: even when the X-ray source has reached its end position, the X-ray detector cannot be mounted in the arms 5, 6) and a base (6), in which the arm

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement (4, 5) is mounted so as to be displaceable in the direction of the curve. D1 thus discloses the combination of features from claim 1, the subject matter of which therefore lacks novelty (PCT Article 33(2)). 3. Dependent claims 2 and 3 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements for novelty (PCT Article 33(2)), since D1 discloses a second curved arm (4, 5) and an X-ray detector which can be mounted so as to be displaceable in the radial direction relative to the curve (see column 6, lines 26-30). 4. The combinations of features contained in dependent claims 4 and 6 are neither disclosed nor suggested by the available prior art, since none of the available documents discloses an X-ray source or X-ray detector which is mounted so as to be displaceable in all directions and is arranged separately from the positioning device. The same applies to claims 5 and 7, which are dependent on claims 4 and 6, respectively.